

## SOIL CONSERVATION AND WATER QUALITY DIVISION[27]

### Notice of Intended Action

#### **Proposing rule making related to funding rates for eligible soil and water protection practices and providing an opportunity for public comment**

The Soil Conservation and Water Quality Division hereby proposes to amend Chapter 10, “Iowa Financial Incentive Program for Soil Erosion Control,” and Chapter 12, “Water Protection Practices—Water Protection Fund,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 161A.4(1).

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 161A.2.

#### *Purpose and Summary*

The proposed amendments increase the eligible total cost from \$450 to \$600 for tree planting and related activities, from \$1,500 to \$1,600 for windbreaks, and from \$450 to \$600 for field windbreaks. Other technical updates are made.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Division for a waiver of the discretionary provisions, if any, pursuant to 27—Chapter 8.

#### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Division no later than 4:30 p.m. on February 5, 2019. Comments should be directed to:

Mike Franklin  
Division of Soil Conservation and Water Quality  
Iowa Department of Agriculture and Land Stewardship  
Wallace State Office Building  
502 East 9th Street  
Des Moines, Iowa 50319  
Email: [mike.franklin@iowaagriculture.gov](mailto:mike.franklin@iowaagriculture.gov)

#### *Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental

subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Rescind the definition of "Edge-of-field practice" in rule **27—10.20(161A)**.

ITEM 2. Amend subparagraph **10.60(1)“b”(1)**, introductory paragraph, as follows:

(1) Fifty percent of the actual cost, not to exceed ~~\$450~~ \$600 per acre, including the following:

ITEM 3. Amend subparagraph **10.60(1)“b”(2)** as follows:

(2) Fifty percent of the actual cost, not to exceed \$150 per acre, for ~~wood~~ woody plant competition control.

ITEM 4. Amend subrules 12.84(1) and 12.84(2) as follows:

**12.84(1) Windbreaks.** 75 percent of the eligible or estimated cost, whichever is less, not to exceed ~~\$1500~~ \$1,600 for the total cost of the establishment or restoration of the windbreak.

**12.84(2) Field windbreaks.** 75 percent of the eligible or estimated cost, whichever is less, not to exceed ~~\$450~~ \$600 per acre for the total cost of the establishment or restoration of the field windbreak.

ITEM 5. Amend paragraph **12.84(7)“c,”** introductory paragraph, as follows:

c. 75 percent of the eligible or estimated cost, whichever is less, not to exceed ~~\$450~~ \$600 per acre, for plantation replanting including the following: